

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
302 W. WASHINGTON STREET, SUITE E-306  
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>  
Office: (317) 232-2701  
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IN THE MATTER OF THE PETITION )  
OF INDIANA FIBER NETWORK, LLC )  
FOR A CERTIFICATE OF TERRITORIAL )  
AUTHORITY TO PROVIDE FACILITIES- )  
BASED INTEREXCHANGE TELEPHONE )  
SERVICE THROUGHOUT INDIANA; FOR )  
THE COMMISSION TO DECLINE TO )  
EXERCISE ITS JURISDICTION OVER )  
PETITIONER AND ITS TELECOMMUNI- )  
CATIONS SERVICES; FOR THE COMMISSION )  
TO WAIVE CERTAIN REQUIREMENTS OF ITS )  
RULES CONCERNING FACILITIES-BASED )  
INTEREXCHANGE SERVICE; AND FOR )  
CONSENT BY THE COMMISSION FOR BOARD )  
OF COUNTY COMMISSIONERS OF ALL )  
COUNTIES IN INDIANA TO GRANT PETITIONER )  
SUCH LICENSES, PERMITS OR FRANCHISES AS )  
MAY BE NECESSARY FOR PETITIONER TO USE )  
COUNTY PROPERTY AND RIGHTS-OF-WAY FOR )  
UTILITY PURPOSES )

FILED

AUG 25 2003

INDIANA UTILITY  
REGULATORY COMMISSION

CAUSE NO. 42468

**BY THE COMMISSION:**

**Lorraine Hitz-Bradley, Administrative Law Judge**

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

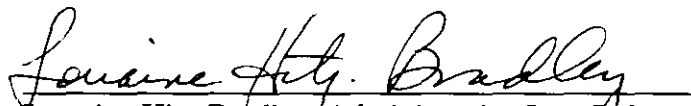
On June 19, 2003, Indiana Fiber Network, LLC ("Petitioner") filed its Petition with the Indiana Utility Regulatory Commission ("Commission"), requesting that the Commission issue a Certificate of Territorial Authority to provide facilities-based interexchange telephone service throughout Indiana pursuant to I.C. 8-1-2-88, to decline to exercise jurisdiction over Petitioner and its interexchange telecommunications services pursuant to I.C. 8-1-2.6-1 *et seq.*, to waive application to Petitioner and its proposed IXC services of certain rules and requirements, and for consent by the Commission for boards of county commissioners of all counties in Indiana to grant Petitioner such licenses, permits or franchises as may be necessary for Petitioner to use county roads, rights-of-way or other county property for utility purposes.

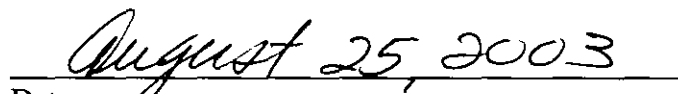
The Presiding Officer in this Cause, having examined the Petition and being duly advised in the premises, hereby finds as follows:


The evidentiary hearing is scheduled for September 9, 2003. After reviewing the Petitioner's responses to the IURC's docket entry of August 13, 2003, the presiding officer now finds that Petitioner should answer the following data requests by September 3, 2003:

1. Will Indiana Fiber Network rates for long distance charges reflect an imputation for access charges paid to member-ILECs?
2. If Indiana establishes a State Universal Service Fund, does the Petitioner believe that a portion of the revenues booked to member-ILECs from Indiana Fiber should be considered as part of an earnings test for member-ILEC's eligibility to draw monies from that state fund? For the federal fund?
3. In regards to the potential establishment of a state fund referenced in question 2 above, does the Petitioner believe that any long distance revenues should stay with the member-ILECs (as opposed to moving to Indiana Fiber Network) and thus would be considered part of an earnings test for a state universal service fund?
4. How many long distance/interexchange customers does each member-ILEC currently have? Please list by member-ILEC.
5. What is the long distance (non-access charge) revenue collected over the last year by each member ILEC? Please list by member-ILEC.

**IT IS SO ORDERED.**

  
Lorraine Hitz-Bradley, Administrative Law Judge

  
Date

  
Nancy E. Manley, Secretary to the Commission